

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#22

## In re Application of:

Vogels et al.

Serial No.: 09/332,803

Filed: June 14, 1999

For: PACKAGING SYSTEMS FOR  
HUMAN RECOMBINANT ADENOVIRUS  
TO BE USED IN GENE THERAPY

Examiner: D. Guzo

Group Art Unit: 1636

Attorney Docket No.: 2578-4075US

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents (Fax No. (703) 746-5061) on the date shown below.

March 21, 2003  
Date

*Betty Vowles*  
Signature

Betty Vowles  
Name (Type/Print)

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. The Examiner cited these references on form PTO-892 in a copending case of the same inventors. That copending case was identified in an Information Disclosure Statement mailed on June 14, 1999. The copending case is identified as Serial No. 09/065,752 filed April 24, 1998 entitled: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT ADENOVIRUS TO BE USED IN GENE THERAPY. In a telephone conversation with the Examiner, it was indicated that the references, both U.S. issued patents, would not need to be submitted.

Serial No.: 09/332,803

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

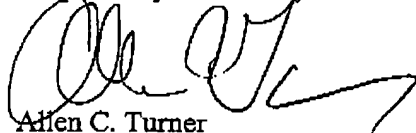
U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 5,922,576	07/1999	He et al.
US - 5,935,935	08/1999	Connelly et al.

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

The fee pursuant to 37 C.F.R. § 1.17(p) may be withdrawn from Deposit Account No. 20-1469.

Respectfully submitted,



Allen C. Turner

Registration No. 33,041

Attorney for Applicant(s)

TRASKBRITT, P.C.

P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: March 19, 2003

ACT/bv

Enclosures: Form PTO-1449 or PTO/SB/08

Document in ProLaw

# TRASKBRITT

Intellectual Property Attorneys

## FACSIMILE TRANSMITTAL SHEET

Total number of pages including cover letter: 5

To: **Examiner D. Guzo**  
**U.S. Patent and Trademark Office**

Date: **March 21, 2003**

Facsimile No.: **(703) 746-5061**

Telephone No.: **(703)**

From: **Allen C. Turner**

Serial No.: **09/332,803**

Client/matter number: **2578-4075US**

Group Art Unit: **1636**

Message/Comments: **As indicated to you earlier this week, submitted herewith is a Supplemental Information Disclosure Statement and Form PTO/SB/08A.**

Faxed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

*If you do not receive the complete document, please call (801) 532-1922 as soon as possible*

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

## Complete if Known

Application Number 09/332,803  
 Filing Date June 14, 1999  
 First Named Inventor Vogels et al.  
 Examiner Name D. Guzo  
 Group / Art Unit 1636  
 Attorney Docket No. 2578-4075US

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
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ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>2051</td> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>2052</td> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>1053</td> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>1812</td> <td>2,520</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>1804</td> <td>920*</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1805</td> <td>1,840*</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>2251</td> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>2252</td> <td>410</td> <td>205</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>2253</td> <td>930</td> <td>465</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>2254</td> <td>1,450</td> <td>725</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2255</td> <td>1,970</td> <td>985</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>2401</td> <td>320</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>2402</td> <td>320</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>2403</td> <td>280</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1451</td> <td>1,510</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>2452</td> <td>110</td> <td>55</td> <td>Petition to revive - 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\*\*or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Allen C. Turner	Registration No. Attorney/Agent	33,041
Signature		Telephone	802-532-1922
		Date	March 21, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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